

VIDEO ARRAIGNMENT PROJECT PHASE TWO REPORT



**A Strategic Plan for the
Use of Video Technology in Lucas County**

January 22, 2003

ACKNOWLEDGMENTS

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INTRODUCTION AND EXECUTIVE SUMMARY

Video conferencing technology has been used in business and government for over 20 years. The last two years have seen a virtual revolution in this technology, including a reduction in the size and cost of the equipment and an increase in signal transmission speed. The adoption of H.323 video transmission protocol standards has also made video conferencing more affordable because it uses Internet protocols.

In difficult economic times, local government must provide more services with less money. One strategy that can help the system do more with less is to implement technologies that assist the movement of cases quickly and efficiently through the system. The technology stream that brought us affordable automobiles, telephones, typewriters, televisions, and computers is now bringing us affordable video systems. The enhanced service provided by the use of video technology can be obtained very economically.

Within a few years, point-to-point video conferencing over the Internet will be as common and as easy as using the telephone. In order to make effective use of this emerging technology, planning must begin now. Policies and procedures must be changed to keep pace with the technology. The first phase of this video technology research² recommended a pilot project to conduct video arraignments between the Maumee Municipal Court and the Lucas County Corrections Center (LCCC). The recommendation was accepted and both sites have begun the process of installing transmission lines and equipment. The second phase of this project examines additional uses of video technology in the Lucas County justice system.

Each year, there are more arrests in Lucas County than the courts and detention facilities can adequately address. This has led to a seeming imbalance in the local criminal justice system. Limited bed space at LCCC has contributed

² VIDEO ARRAIGNMENT PHASE ONE REPORT, Criminal Justice Coordinating Council, August 5, 2002.

both to this system imbalance and to Toledo Municipal Court docket delay. Docket delay develops when defendants are released from custody and then fail to appear for their scheduled court date. In 2001, 10,202 of the 23,627 individuals booked into LCCC were released within eight hours. A significant number of these individuals were released due to limited bed space at the facility, most of them without a judge's bond review. Over 6,300 of those releases were mandated by the United States government, under the standing order of U.S. District Court Judge David A. Katz.³ This federal court order, active since 1971, was instituted to reduce overcrowding. Local jail overcrowding remains a problem in most metropolitan areas of Ohio.⁴ However, only Lucas County has been required to function under a federal court order for an extended period of time. Other Ohio counties operate a waiting list and call offenders to serve their time when space is available.

The criminal justice system would benefit from the revised processes and procedures that would result from the implementation of new technology. Numerous separate agencies comprise the justice system. While each of these entities functions independently, they have a shared goal of protecting society and dispensing justice. One way to facilitate this goal is for separate agencies to work together while maintaining the proper independence of each agency.

Other studies have also recommended the use of video technology in Lucas County. When the former Corporation for Effective Government (CEG) examined the operation of the LCCC in 1992 and the operation of the Toledo Municipal Court in 2000, it strongly recommended the use of video technology to help move cases through the system. The CJCC is also recommending the introduction of video technology to improve caseload. The use of video

³ See **Jones v. Wittenberg**, 330 F. Supp. 707, 713 (ND Ohio 1971) LCCC has been operating under this U.S. District Court order for the last 30 years. Lack of pretrial bed space in Lucas County has lead to thousands of individuals being released without local judicial review under this court order.

⁴ According to the Ohio Department of Rehabilitation and Correction's Bureau of Adult Detention and other staff research, the following number of correctional facility beds (both pretrial and sentenced inmates) were available locally per thousand population: Hamilton – 2.76, Franklin – 2.18, Lucas – 1.77 (includes CCNO), Cuyahoga – 1.51, Summit – 1.34, Montgomery – 1.20, Stark – 1.07.

technology for court appearances will not be appropriate in all cases. There will still be the necessity to transport many defendants. However, a large number of defendants can appear in court via video and a number of benefits will result.

BENEFITS

- ◆ The number of defendants transported to court will be reduced, which will allow for the redeployment of resources to other areas of the system.
- ◆ Attorneys will save time spent waiting in court for their clients. Prisoners can be available on shorter notice for any type of hearing or conference at court via video.
- ◆ Probation and parole officers can conduct pre-sentence investigations and probation or parole violation interviews from their office using video technology, rather than traveling to the holding facility or having an inmate transported to the courthouse for an interview.
- ◆ Additional bed space can be opened at both LCCC and CCNO by reducing the amount of time prisoners spend in jail waiting for court proceedings. Associated custody costs for each inmate should also be decreased.
- ◆ The level of security for inmates, corrections personnel, court personnel, and the public will be improved by minimizing the transportation of potentially dangerous defendants to pretrial and post trial hearings.
- ◆ The possibility of prisoner escape, exposure to contraband, transport traffic accidents, other personal injury liabilities will be reduced.
- ◆ Certain medical consultations and psychiatric evaluations can be performed using video technology.
- ◆ Critical communication and coordination could be markedly improved between all levels of law enforcement in Lucas County and the larger geographical area.
- ◆ Community re-entry of incarcerated offenders can be made less traumatic by encouraging more frequent family visits through video visitation.
- ◆ Sensitive witnesses, such as children or victims of domestic violence, can testify from a remote location, which will help reduce feelings of anxiety and fear of testimony in the courtroom in front of a defendant.

- ◆ Distance learning and other video broadcast training will help improve the performance of law enforcement, judicial, corrections, and court services personnel.
- ◆ Video technology can be used to provide distance-learning courses to inmates, helping them re-enter the community as more productive members of society. Many inmates do not have a high school education and cannot adequately read or write.
- ◆ Criminal justice professionals can deliver lessons in criminal justice and our system of government via a video connection to the local school classrooms.

COST/BENEFIT

To implement this technology, the first-year investment will be substantial, but the return on investment will be great.

	Lucas Co.	Toledo	Maumee	Sylvania	Oregon	Total
First-Year Cost	\$252,613	\$172,883	\$16,500	\$18,500	\$18,500	\$478,996
Five-Year Net Savings	\$3,008,823	\$1,721,281	\$62,649	\$60,649	\$360,649	\$5,214,052

The savings will come in the form of reduced costs for the transportation of prisoners and reduced costs in LCCC and CCNO per diems. Furthermore, there will be cost savings by reducing the amount of time a defendant spends in pretrial custody awaiting court appearances.

The unique nature of the regional criminal justice data network will reduce the overall cost of the implementation of video technology. The Northwest Ohio Regional Information System (NORIS), a CJCC project, provides computer services to criminal justice agencies in Lucas, Wood, and Sandusky counties and

CCNO.⁵ The advanced hardware, software, network, and expert technical staff make it possible to plan for the introduction of video technology without the need to hire expensive consultants. Most of the fiber optic backbone necessary to use video technology is already in place within the NORIS network.

One goal and six objectives are suggested for the implementation of this new technology.

GOAL: reduce the cost of transporting prisoners to and from area detention facilities, improve the level of service delivery to the inmates, decrease delays in case processing, and reduce jail population with the use of video conferencing technology.

OBJECTIVE 1: complete the video connection between Maumee Municipal Court and LCCC

OBJECTIVE 2: connect Sylvania Municipal Court with LCCC

OBJECTIVE 3: connect Oregon Municipal Court with LCCC

OBJECTIVE 4: connect LCCC with Toledo Municipal Court, Common Pleas Court, Juvenile Court, Toledo Municipal Court probation department, Common Pleas Court probation department, Toledo Public Defender, City of Toledo Prosecutor's Office, and attorney conference rooms at Toledo Municipal Court and Common Pleas Court

OBJECTIVE 5: connect CCNO with Maumee, Oregon, Sylvania and Toledo Municipal Courts, Common Pleas Court, Juvenile Court, Toledo Public Defender, City of Toledo Prosecutor's Office, Lucas County Prosecutor's Office, and attorney conference rooms at Toledo Municipal Court, Common Pleas Court, Toledo Municipal Court probation department, and Common Pleas Court probation department

OBJECTIVE 6: connect area hospitals, mental health services, and the Court Diagnostic and Treatment Center with medical units at LCCC, Correctional Treatment Facility, Work Release, Youth Treatment Center, and Juvenile Detention Center

⁵ CCNO serves the City of Toledo, and Defiance, Fulton, Henry, Lucas, and Williams counties

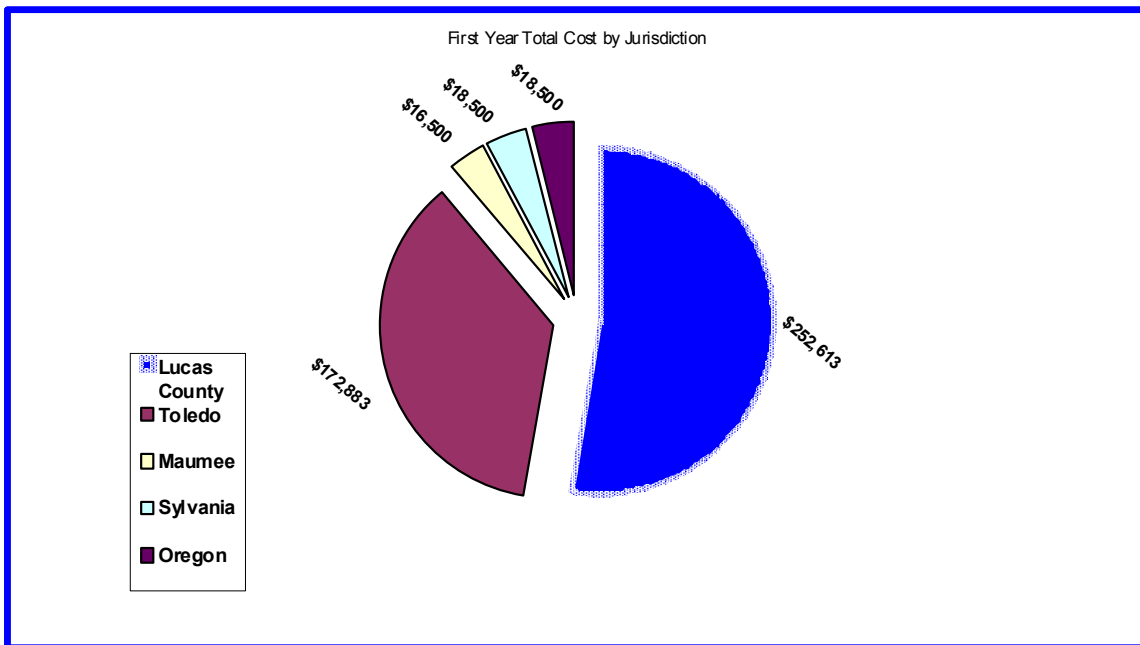
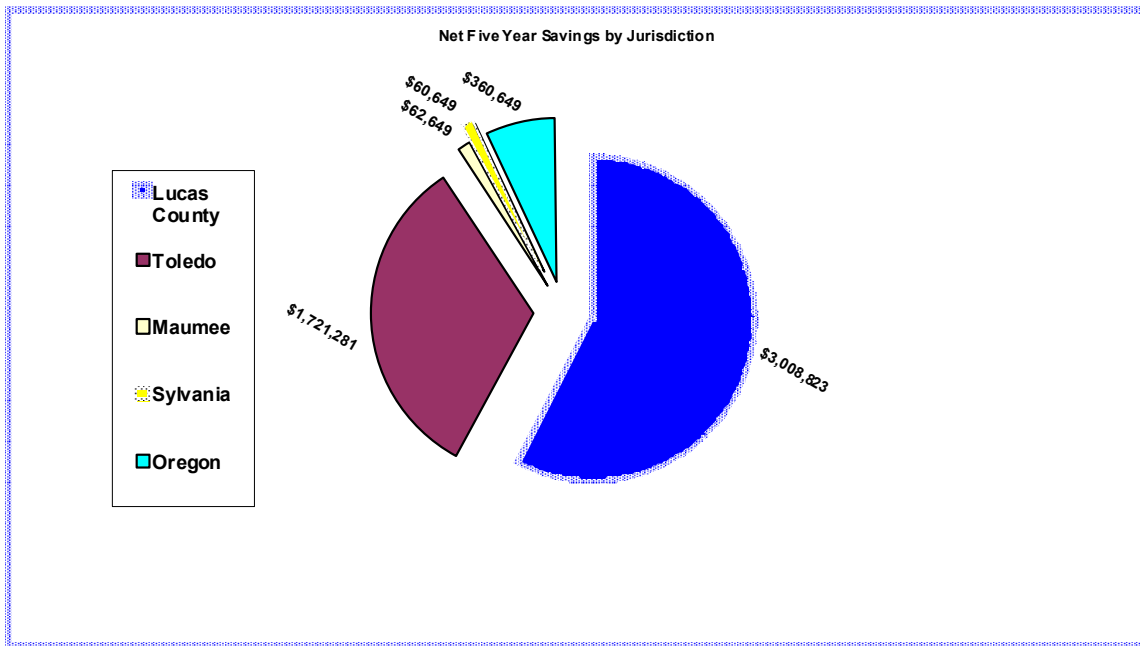
The conclusion reached by this report is that the Lucas County courts, correctional institutions, and other justice agencies should immediately and widely adopt video technology.

The amount of taxpayer money that can be saved and the increase in service delivery will depend upon the speed with which the technology is adopted. There appear to be no legal or other structural barriers to the full adoption of this technology.

The following pages will discuss opportunities for the use of video technology throughout the criminal justice system and outline details of the goal and objectives.

The final section of this report is a detailed cost/benefit analysis. When calculating the cost/benefit, it was assumed that no employees would be laid off as a result of the new technology. Instead, certain individuals would be assigned to other jobs, reducing the organization's need to hire new staff, and reducing the need to expand staff in the future. The analysis also assumes that prisoners will be available for court hearings as needed.

The reader must recognize that this report and the recommendations are a concept design. Just like construction of a new building, the concept design is the first of many steps leading to the actual completion. While we strongly recommend that the video arraignment concept design be accepted, it is up to those in charge of the various criminal justice agencies to take the subsequent steps necessary to make video arraignment a reality.



THE REPORT

LAW ENFORCEMENT AND PROSECUTION

There are 19 police departments and other front-line law enforcement agencies in Lucas County.⁶ Police departments have been on the cutting edge of video technology for years. Today's use of video technology includes in-car cameras, video surveillance equipment, cameras to control traffic and identify red light violators, and distance learning. Below are additional potential uses of this technology.

- ◆ Selected high-pedestrian areas could be monitored to discourage crime during major events or at certain times of day. Some cities have predefined areas that are always monitored, as has been the case in New York City since 9/11.
- ◆ In certain cases, investigators could schedule a "face-to-face" video conference with inmates from their office, rather than conduct a phone interview, travel to the institution, or have the prisoner transported.
- ◆ Travel could be reduced for officers who meet with city, county, or federal prosecutors to review charging decisions.
- ◆ Investigators could provide live video testimony to grand juries for determination of probable cause.
- ◆ Plea negotiations could be facilitated by conferencing with individuals that may be able to provide information that will affect the outcome of a trial. The attorney could use this information to better advise the client.
- ◆ Commanders could give simultaneous briefings to officers located at various substations or to resource officers located at schools across the county.
- ◆ Police activities could be directed from headquarters in the midst of a crisis or in response to an emergency.

⁶ Toledo Police Department, Maumee Police Department, Sylvania Police Department, Sylvania Township Police Department, Oregon Police Department, Waterville Police Department, Whitehouse Police Department, Holland Police Department, Ottawa Hills Police Department, University of Toledo Police Department, Washington Township Police Department, Lucas County Sheriff's Office, Federal Bureau of Investigations, United States Marshals Service, United States Coast Guard, Drug Enforcement Agency, Bureau of Alcohol Tobacco and Firearms, Port Authority Police, State Highway Patrol.

- ◆ Video recordings taken at domestic violence scenes could be used in evidence-based prosecutions. The conviction rate could be improved by making it unnecessary for the victim to testify to obtain a conviction.

Homeland security could be enhanced by the use of video technology. If a highly secure video network linked law enforcement and fire stations, the system could be used as a secure backup to standard phone and radio communications. The infrastructure would be designed with all fiber lines laid below ground to further enhance reliability in case of a terrorist attack or natural disaster. In the aftermath of 9/11, it should be recognized that redundant and highly secure data, voice, and video communication are necessary to adequately serve our citizens in the future.

Considering that it takes as many as 50 years to design, fund, and construct a new highway, no less planning and effort should go into securing a quality data, voice, and video infrastructure for law enforcement. The Lucas County Data Processing Board has already recognized this need and is planning a comprehensive data fiber network around downtown and connecting most county buildings. That effort should be supported and encouraged by the justice system to serve the entire regional area.

JUDICIAL SYSTEM

In the Video Arraignment Phase One Report, examples of the productive use of video technology were documented. Thousands of courts across the United States are successfully using video technology to improve service delivery to the public.⁷ In Ohio, over 80 courts use video technology. Twenty-one of the common pleas courts using this technology were contacted to determine the extent of use. At this level, the technology is being used for arraignments and

⁷ The Delaware County Court in Pennsylvania has most of its courtrooms at the trial court level connected to the regional jail via cable at full bandwidth TV rate. The prosecutor and the public defender's office also have the same direct connection. Other courts and locations in the county have video dial-up access to the system via T1-PRI lines, see <http://www.co.delaware.pa.us>. The contact person for the Delaware Courts Video Department is John La Rosa at 610-891-4577 – e-mail: larosaj@co.delaware.pa.us.

non-trial hearings including pretrial, extradition, and probation and parole violation hearings. Sandusky County uses video arraignment and video conferencing extensively. Bowling Green Municipal Court has been conducting video arraignments for over ten years. The municipal court in Delaware, Ohio, is unique in that it provides a live video feed everyday on the Internet.⁸ The following is a list of judicial proceedings where video technology is being used.

First appearances, bond hearings, indigence examinations

Arraignments at municipal and common pleas courts

Preliminary hearings

Pretrial hearings⁹ involving in-custody defendants

Pretrial hearings involving out-of-town attorneys

Emergency temporary protection order (TPO) hearings

Child testimony in cases such as rape

Sentencing hearings when the defendant or judge is hospitalized

Sentencing hearings

Shock release hearings

Probation violation hearings

Parole violation hearings

Extradition hearings

Prisoner civil litigation hearings

Other post-trial hearings

In-custody child support hearings

Juvenile court hearings

Probate court mental illness and mental retardation hearings

Citizen Study Committees of the former CEG strongly recommended the use of video technology for arraignments. In July 1992, the citizens group said:

⁸ www.municipalcourt.org

⁹ In Ohio, a pre-trial hearing can include any number of hearings such as a motion to suppress, a scheduling conference, a withdrawal of counsel, a discovery dispute, and other types of hearings.

“Longer term, the committee recommends that the Sheriff and the Common Pleas Judges agree to implement video arraignments, as is done in other counties. Space for video arraignment should be included in the Pretrial Detention Center or found in the Corrections Center, and appropriate equipment should be purchased.”¹⁰ Again in 2000, the citizens group called for video arraignments at the Toledo Municipal Court¹¹ and at CCNO.¹²

During an observation of the LCCC booking area on Monday, October 27, 2002, over 150 newly arrested individuals were awaiting transportation to arraignment hearings. Prisoner preparation begins at 5:30 a.m. in order to have all inmates transported by 9:00 a.m. All cases were heard before noon, which allowed each defendant an average of 2.4 minutes before the judge.

Demands such as these strain the resources of the court. When only two judges process large numbers of defendants in a short period of time, it creates the appearance that the system may not be fair and equitable. The criminal justice system must not only strive to provide a fair and equitable system, but also to give the appearance of such. With the introduction of video technology, judges and attorneys may be able to spend more time with each defendant.

Maumee Municipal Court has agreed to act as the first court in the county to use a video connection between the courthouse and the jail. The connection will be via the NORIS Video Network, using a combination of T-1 and fiber optic lines.¹³ When the Toledo, Sylvania, Oregon, and Maumee Municipal Courts

¹⁰ A CITIZEN STUDY OF LUCAS COUNTY—SHERIFF'S OFFICE, Corporation for Effective Government, p 37 & p 58, July 1992.

¹¹ In 2000, the CEG report indicated that there is a serious problem with the processing of defendants at arraignment. The report suggested that the problem could be addressed by the judge going to LCCC to conduct arraignments or by use of video arraignments. Video appearance at CCNO was strongly recommended. CITY OF TOLEDO CRIMINAL JUSTICE SYSTEM AND HOUSING COURT, Corporation for Effective Government, completed in 2000, page 78.

¹² CCNO is currently implementing a video network that will connect all of the courts it serves. Bryan Municipal Court and Williams County Common Pleas Court are anticipated to begin video arraignments in January 2003. Lucas County courts should be connected to CCNO in the next 12 months. See: www.ccnoregionaljail.org

¹³ A demonstration of the Polycom video equipment was held on September 5, 2002, during the Community Corrections Planning Board meeting. The demo connected two offices over a T-1 line utilizing H.323 Internet signal protocol. The picture was broadcast quality. The following day, NORIS staff successfully connected a video transmission over the existing T-1 line at CCNO.

adopt video technology across the board, substantial cost savings will be realized.

Twenty-one deputy sheriffs provide court security and prisoner transport between LCCC and Toledo Municipal Court. This service cost the City of Toledo \$1.1 million in 2001. Based on observation of arraignment sessions, the felony and misdemeanor courtrooms each require four to six deputies to move custody defendants from LCCC to the holding area and the courtroom. With the introduction of video technology, six of the deputies could be deployed to other duties, resulting in a \$323,256 annual savings to the City of Toledo. Fifteen deputies would remain available to the court for security and prisoner transport.

Three thousand post-trial inmates are transported between the Corrections Center of Northwest Ohio (CCNO) and courts in Lucas County each year. Of this number, over half could make the required court appearance via video transmission. By reducing the need for the three-hour round trip transports, CCNO could eliminate one of its three daily bus runs, saving \$150,000 annually. This cost reduction could then be passed on to the City of Toledo and Lucas County in the form of lower per diem rates.

Another use of video technology is for attorney client conferences. Presently, the defendant and the attorney meet at the court a few minutes before the hearing. Once video equipment is in place, this confidential visit could take place at any time or location without the necessity of a physical meeting. Attorneys will also be able to meet with clients at CCNO. Video conferencing will save considerable time and money and improve service by increasing attorneys' access to clients. A Pennsylvania Commission study found that "video conferencing has improved the public defenders' access to incarcerated clients."¹⁴ The majority of defendants are represented by public defenders.

¹⁴ In September 2000, the Pennsylvania Commission on Crime and Delinquency issued a report that evaluated the use of video conferencing equipment funded by the commission in six Pennsylvania counties. "In conclusion, this report suggests that the use of video conferencing technologies can enable courts to process criminal cases more efficiently and effectively. Investments in these technologies can lead to time and cost savings for the county court systems and their participants..." EVALUATION OF VIDEO CONFERENCING DEMONSTRATION PROJECTS, CONSAD Research Corporation, 121 North Highland Ave., Pittsburgh, Pennsylvania, 15206, p 67.

However, private attorneys will also have access to incarcerated clients through the establishment of an attorney video conference room in each courthouse.

The use of video technology will also improve security for attorney client conferences held in the courtroom. At Toledo Municipal Court, the small holding areas in the arraignment courtrooms are overcrowded with defendants and deputy sheriffs. Attorneys and probation officers meet with clients in this secured area before, during, and after court sessions. A serious security breach is possible since the defendants are not restrained. Video arraignment will help reduce this threat.

Video technology can be used extensively in the area of civil law to provide expert witness testimony during a trial at a fraction of the cost of travel. Remote witness testimony coupled with courtroom equipment to present evidence can reduce the cost of litigation to all parties. The technology can also enhance the official record of the trial proceeding. If an expert is testifying on crime scene tire tracks or fingerprints, he may annotate the video picture in real time in front of the jury. That expert annotated picture can then be printed and made part of the official record of the court.

Video evidence presentation systems have proved to be valuable in the federal district courts and in many state court systems.¹⁵ Using this technology substantially enhances jurors' understanding of the evidence. Evidence can be presented from a document camera, a computer hard drive, or a CD. Not only does this enhance the understanding of the evidence, it can shorten the length of the trial by removing the necessity of passing paper and other exhibits around the courtroom. When equipping a courtroom with this technology, there are a number of options to pursue. The options change frequently due to the speed of innovations in the technology. A thorough analysis should be made before

¹⁵ See <http://montcourt.org/gd/videorooms.htm>
See also: http://www.courtroom21.net/Technology/Evidence_Presentation/Evidence_presentation.html

specifications are determined. Several companies manufacture portable units that provide most of the necessary features and start at around \$10,000.¹⁶

Jurors could visit a crime scene live from the courtroom using video technology. Time and money will be saved for the jurors and the court without damaging the defendant's rights. Since the defendant and his attorney would also be present to observe the crime scene, the defendant's right to a fair trial could be enhanced.

Child victim witness testimony and adult victim witness testimony could be introduced in an adult or juvenile criminal trial using video conferencing equipment. Studies have shown that live courtroom testimony can be as damaging to the child as the crime itself in some cases. Frequently, child testimony must be given in front of the perpetrator, which has a considerable negative effect on the testimony. Adult victims are often terrified of appearing in court with the defendant who may have just recently assaulted them.¹⁷

CORRECTIONAL INSTITUTIONS, PROBATION, AND PAROLE

Six correctional institutions directly serve Lucas County: LCCC, CCNO, the Correctional Treatment Facility, the Lucas County Work Release Program, the Youth Treatment Center, and the Juvenile Detention Center. All of these facilities must address the costly medical and psychiatric needs of the inmates. Currently when an inmate requires medical treatment, the resident medical staff treats the inmate, an outside contractor travels to the facility to treat the inmate, or the prisoner is transported to a medical facility. Lucas County provided medical services for adult and juvenile inmates at a cost of \$1,585,519 in 2001.

Telemedicine can improve delivery of medical or psychiatric services, while saving a substantial amount of money.¹⁸ The Ohio prison system makes

¹⁶ See Exhibit One corporation of Arizona at: www.exhibitone.com

¹⁷ See ORC 2930.10 Minimization of unwanted contact between prosecution and defense sides. See also: <http://www.ojp.usdoj.gov/ovc/assist/nvaa/ch10men.htm>

¹⁸ Telemedicine is a term referring to the use of video technology to provide remote medical assistance. For a discussion of the benefits of telemedicine, see US Department of Justice, Office of Justice Programs, National Institute of Justice, IMPLEMENTING TELEMEDICINE IN CORRECTIONAL FACILITIES, May 2002, NCJ 190310.

extensive use of telemedicine through a contract with Ohio State University. Most of the hospitals in Lucas County have extensive video production capabilities. The project staff observed the state-of-the-art video production facilities at the Medical College of Ohio, which would permit any doctor to examine inmates and prescribe treatment.

Quality visitation programs are instrumental to helping ensure that inmates are successfully integrated back into the community with their families. This is especially true for Toledo and Lucas County inmates at CCNO¹⁹, the majority of which have been incarcerated on misdemeanor charges. Many families cannot afford to drive three hours to visit incarcerated family members. Video visitation from family members would be a positive benefit for inmates and would reduce isolation.

Video technology could also help inmates scheduled to be released find employment. Some institutions have setup job interviews for inmates prior to release.

Additionally, the technology can be used to interview probationers and parolees who have been incarcerated.

JUSTICE SYSTEM TRAINING AND EDUCATION

Training and education of police officers, judges, court staff, prosecutors, defense attorneys, public defenders, probation officers, corrections officers, and other criminal justice professionals is critical, while funding is difficult to secure. Many criminal justice professionals have state-mandated continuing education requirements.²⁰

Judges, court staff, public defenders and prosecutors could access training through a NORIS satellite downlink with the Ohio Bar or the American Bar Association.

¹⁹ In 2001, 5,249 Toledo and Lucas County inmates were housed at CCNO.

²⁰ Ohio requires attorneys to have continuing education in the amount of 24 hours every 2 years, see: www.abanet.org/cle/mclemap.html#map.

The Toledo Police Department could receive a direct feed from the training academy on a private video channel or to the desktop over the NORIS network. Field officers could receive individualized instruction and help desk assistance with the new technology while it is being used. For example, an officer might video “call” the NORIS help desk for assistance on how to properly enter information into the new in-car computer units. New officers could receive training on how to use the NORIS system for checking warrants and criminal history without traveling to a central training facility.

Prosecutors and legal departments could deliver valuable legal training to police officers with interactive feed back without leaving their office. National video training programs could be broadcast over the video network. Certain network channels could be devoted exclusively to scheduled law enforcement training for officers.

When the NORIS Video Network is linked to the CCNO fiber network, video training could also be made available to officers in Fulton, Henry, Williams, and Defiance counties. Such law enforcement training could be accomplished in partnership with presenters from the FBI, INS, DEA, U.S. Attorney, Ohio Highway Patrol, prosecutors, and others who have a training message to provide.

In addition to receiving training, criminal justice professionals can use video technology to educate others. Providing civic education is a fundamental responsibility of the justice system. Judges in Lucas County historically and consistently volunteer to talk to students, give speeches to civic groups, and teach the law to attorneys and students. Linking the NORIS network with the Toledo Public Schools’ fiber optic network would allow judges to easily lecture students of all grade levels on various subjects. Students could experience the selection of a jury, closing arguments, sentencing, and a variety of other courtroom processes.

Inmates can receive high school or technical training over the NORIS Video Network that may help them become productive citizens when they are

released. In the juvenile facility, full-time teachers work with the children. This service could be enhanced by distance learning with Toledo Public Schools.

STRATEGIC PLAN FOR THE DEPLOYMENT OF VIDEO TECHNOLOGY

In order to successfully deploy the technology described, an outline of a strategic plan has been established. Local and state government funding of the plan's cost is fully cost-justified. A cost/benefit analysis is located in the last section of this report. In addition to local findings, other jurisdictions have demonstrated that the introduction of video technology is cost-justified.²¹ The strategic plan describes the goal, objectives, and preliminary action plans needed to implement video technology.

GOAL: Reduce the cost of transporting prisoners to and from area detention facilities, improve the level of service delivery to the inmates, decrease delays in case processing, and reduce jail population with the use of video conferencing technology.

Each objective begins on a new page. Action plans and cost benefit statements are addressed for each objective recommended for implementation in 2003. Objectives that will be accomplished after 2003 are considered long-term. Long-term objectives are mentioned, but no cost analysis is provided.

The action plans are preliminary. Local government officials and criminal justice agencies should make any modifications that would better lead to the accomplishment of the objectives, as necessary.

²¹ See Pennsylvania Commission on Crime and Delinquency, EVALUATION OF VIDEO CONFERENCING DEMONSTRATION PROJECTS, CONSAD Research Corporation, 121 North Highland Ave., Pittsburgh, Pennsylvania, 15206, p 3.

Objective One: Complete the video connection between Maumee Municipal Court and LCCC

Narrative: Both Maumee and LCCC are in the process of purchasing the necessary equipment to make the video connection.

Objective Target Date: February 1, 2003

Action Plan: A T-1 line has been ordered from Ameritech to connect Maumee Municipal Court to the NORIS Video Network. The necessary equipment has been ordered for the courthouse.

LCCC will connect to the NORIS Video Network via a fiber optic line. Because of the facility's age and space restrictions, locating a suitable area for the video station will be difficult. NORIS staff will work with LCCC to identify suitable locations.

Policies and procedures need to be drafted and approved for use by Maumee Municipal Court and LCCC.

A Suburban Courts Video Task Force should be formed with representatives from Maumee, Sylvania, Oregon, NORIS, LCCC, public defenders, municipal prosecutors, and the bar association. The purpose of this task force will be to establish a timeline and facilitate the implementation of the technology and revised procedures. One critical area is the coordination of each court's use of the system.

Cost/Benefit Analysis: It is noted that NORIS is not charging for the installation and set up for the Maumee pilot project. There is a nominal charge for the remaining projects.

First year cost for Maumee Court: \$16,500
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First year cost for Lucas County: \$4,413

Five year net savings for Maumee: \$55,268
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Five year net savings for Lucas County: \$505,433

Objective Two: Connect Sylvania Municipal Court and LCCC

Objective Target Date: March 1, 2003

Action Plan: Work with the Suburban Courts Video Task Force to ensure successful implementation. See objective one above for a description of the task force.

Install video equipment in Sylvania Municipal Court

Connect Sylvania Municipal Court to the NORIS Video Network

Add one additional video station at the LCCC

Cost/Benefit Analysis²²

First year cost for Sylvania: \$18,500
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First year cost for Lucas County: \$6,413

Five year net savings for Sylvania: \$53,268
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Five year net savings for Lucas County: \$715,242

²² The cost savings to Lucas County is based upon the practice of the Lucas County Sheriff's deputy transporting prisoners. Once Sylvania Township Police begin transporting prisoners, Sylvania Township will realize many of the savings now attributed to the Lucas County Sheriff.

Objective Three: Connect Oregon Municipal Court and LCCC

Objective Target Date: March 1, 2003

Action Plan: Work with the Suburban Courts Video Task Force to ensure successful implementation. See objective one above for a description of the task force.

Install video equipment in Oregon Municipal Court

Connect Oregon Municipal Court to the NORIS Video Network

Add one additional video station at the LCCC

Cost/Benefit Analysis

First year cost for Oregon: \$18,500

First year cost for Lucas County: \$6,413

Five year net savings for Oregon: \$353,268

Five year net savings for Lucas County: \$80,358
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Objective Four: Connect LCCC with Toledo Municipal Court, Common Pleas Court, Juvenile Court, Toledo Municipal Court probation department, Common Pleas Court probation department, Toledo Public Defender, City of Toledo Prosecutor's Office, the Lucas County Prosecutor's Office, and attorney conference rooms at Toledo Municipal Court and Common Pleas Court

This connection would provide for video arraignment and other hearings; establish private areas for confidential video meetings between attorney and clients; enable the use of video technology for the prosecutor and defense lawyer to enter into plea negotiations with an incarcerated defendant as appropriate.

Objective Target Date: August 1, 2003

Action Plan: Since the number of defendants appearing via video may approach 100 a day, it is recommended that the video signal be sent over a dedicated fiber optic line between Toledo Municipal Court and LCCC.

Secure two dedicated strands of fiber between NORIS and the Juvenile Court video conferencing.

Form a Toledo Municipal Court Video Task force composed of judges, the Court Administrator, Clerk of Court, and representatives from the public defender's office, bar association, LCCC, and NORIS/CJCC. The purpose of this task force will be to establish a timeline and facilitate the implementation of the technology and revised procedures.

Install video equipment as follows:

Toledo Municipal Court

- one station in each of seven courtrooms
- one station for the Toledo Public Defender
- one station for the probation department
- one station in the City of Toledo Prosecutor's Office
- one station for attorney conferences

Common Pleas Court

- one courtroom station
- one station in the probation department
- one station for attorney conferences

Juvenile Court

- one station in each of two courtrooms
- one station for the Toledo Public Defender

Lucas County Prosecutor's Office
one station

LCCC
six stations

Although not a part of this objective at this time, the Adult Parole Authority should install a connection since parole holders tend to have a significant negative impact on local jail population.

Cost/Benefit Analysis

First year cost for Toledo: \$137,100 First year cost for Lucas County: \$129,091
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Five year net savings for Toledo: \$1,509,288 Five year net savings for Lucas County: \$765,969
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Objective Five: Connect CCNO with Maumee, Oregon, Sylvania and Toledo Municipal Courts, Common Pleas Court, Juvenile Court, Toledo Public Defender, City of Toledo Prosecutor's Office, Lucas County Prosecutor's Office, and attorney conference rooms at Toledo Municipal Court, Common Pleas Court, Toledo Municipal Court probation department, and Common Pleas Court probation department

Objective Target Date: June 1, 2003

Action Plan: Establish a task force of representatives from all Lucas County courts, the bar association, CCNO, and NORIS to develop implementation procedures and the scheduling of hearings.

Install five video stations at CCNO²³ and one at a Toledo location for visitation.

Upgrade the existing T-1 line between NORIS and CCNO to a 10-megabyte line sufficient to handle five simultaneous video transmissions.

The Adult Parole Authority should also be given access to CCNO to process parole violators.

Cost/Benefit Analysis:²⁴

Because the number of inmates transported by CCNO prisoners would be considerably reduced, each jurisdiction would realize substantial savings. These savings significantly outweigh the investment of money and staff time.

First year cost for Toledo: \$28,733

First year cost for Lucas County: \$28,733

Five year net savings for Toledo: \$67,154

Five year net savings for Lucas County: \$312,648

Five year net savings for Maumee: \$7,381

Five year net savings for Sylvania: \$7,381

Five year net savings for Oregon: \$7,381

²³ This includes two stations for the Toledo Municipal Court and a total of three stations for Maumee, Oregon, Sylvania Municipal Courts, Common Pleas Court, and Juvenile Court. TMC should be permitted two courtroom sessions with CCNO at the same time regardless of other CCNO usage.

²⁴ The cost and savings noted in this objective are attributed to the Lucas County jurisdictions that contract with CCNO. However, CCNO may absorb the cost of purchasing and installation of this equipment. Savings may be passed on to Lucas County jurisdictions in the long run by reduced CCNO contract cost.

Objective Six: Connect area hospitals, mental health services, and the Court Diagnostic and Treatment Center with medical units at LCCC, Correctional Treatment Facility, Work Release, Youth Treatment Center, and Juvenile Detention Center

This connection will maximize medical and psychiatric service delivery while saving money. This service is commonly referred to as Telemedicine and it is in widespread use throughout Ohio and the United States.

Objective Target Date: December 1, 2003

Action Plan: Install video stations at Court Diagnostic and Treatment Center and at the medical units at LCCC, Correctional Treatment Facility, Work Release, Youth Treatment Center, and Juvenile Detention Center.

Contractual agreements with hospitals and existing medical contractors should be modified to provide medical and psychiatric diagnosis via video, when appropriate.

Explore this same concept to reduce the city and the county's cost for medical treatment at CCNO.

Cost/Benefit Analysis:²⁵

At these five facilities, the total cost for medical and psychiatric treatment in 2001 was \$1,585,519. It is estimated that using video technology, where appropriate, could save 5% of this cost. A significant advantage is that medical and psychiatric care could theoretically be delivered 24 hours a day, 7 days a week.

First year cost for Toledo: \$7,050 First year cost for Lucas County: \$77,550

Five year net savings for Toledo: \$19,899 Five year net savings for Lucas County: \$504,173

²⁵ Note: While Polycom FX cameras are the standard for this report, other manufacturers of video equipment for use in medical facilities should be considered.

Long Term Goals and Objectives

Additional goals and objectives will take more than 12 months to accomplish. Below is a list of these concepts. Progress toward these objectives will contribute to reducing the cost of prisoner transport, improving operational efficiencies and training opportunities, and contribute to the enhancement of homeland security.

1. Connect the Lucas County Prosecutor's Office, the Lucas County Grand Jury room, and the City of Toledo Prosecutor's Office with Toledo Police Department headquarters and district offices, and with Lucas County Sheriff's Office, Maumee Police Department, Oregon Police Department, Sylvania Police Department, Sylvania Township Police Department, CCNO, LCCC, and the State of Ohio prison system. This will allow both prosecutor's offices and the major police departments to connect to CCNO, LCCC, and the Ohio prison system upon demand. It could also allow investigations, trial preparation, remote testimony, and presentation to the grand jury in selected cases.
2. Install a high-speed connection between CCNO and the NORIS network. Presently, the Buckeye Cable connection extends to Toledo Express Airport. The Fulton County fiber lines, provided through Ridgeville Telephone Company, end at Swanton. Five miles of cable would connect the two networks. The CJCC should lead a task force from the city, county and CCNO to make concrete plans for this cable connection.
3. Connect the remaining nine courtrooms at Common Pleas Court with LCCC and CCNO over the next three years. This connection will reduce some of the security concerns of transporting felons. The present underground tunnel between Common Pleas Court and LCCC is hazardous because it is old, small, and full of electrical, data, and plumbing lines. While there have been plans to replace the tunnel, video court appearance would reduce the use of the tunnel substantially.
4. Install video Evidence Presentation Systems (EPS) in each courtroom or provide for portable systems. Other digital evidence can be shown in courtrooms for victimless prosecution.
5. Connect all headquarters of law enforcement agencies in Lucas County to establish a law enforcement video command channel.
6. Provide video training and professional lectures to Toledo Public Schools from various criminal justice professionals by connecting the school district to the Lucas County justice system.
7. Establish a NORIS satellite dish for the purpose of providing satellite training for all justice agencies, including suburban law enforcement, judicial employees,

attorneys, prosecutors, court services officers, and correctional officers. Over 2,000 criminal justice system employees may benefit from this training.

8. Connect Toledo Public Schools and other school districts to area detention facilities for the purpose of providing educational opportunities to inmates.

9. Connect all Lucas County fire departments and Emergency Medical Services to the NORIS Video Network.

10. Install a government-owned underground fiber cable network for data and video transmission connecting all law enforcement, courts, correctional institutions, and emergency response agencies in Lucas County.

11. Connect mental health agencies to allow case management assessments that would link inmates with appropriate services after release.

12. Connect the Toledo Police Academy to the NORIS Video Network to provide conference room and desktop training to the Toledo Police Department.²⁶

13. Study the feasibility of adding "Voice over IP" for NORIS system users. This technology will allow NORIS users in the seven county area to speak to each other over the NORIS Intranet rather than using commercial phone lines. This would save local and long-distance phone service costs.

²⁶ An alternative to government-owned cable is Buckeye Cable. The Buckeye Cable contract with the City of Toledo reads in part: "Permittee (Buckeye Cable) shall provide one channel... for full time use by the City of Toledo and the metropolitan area governments..." "...the permittee shall make available one digital channel to the City for its exclusive use as a PEG channel." PEG access is "public, education and governmental access." See contract between City of Toledo and Buckeye Cablevision, Inc, dated 8/1/1997, Section 8. In 1995 the CEG study, A Citizen Study of The City Of Toledo Department Of Police Operations, Toledo, Ohio, page 115 noted that 45% of the patrol officers and 61% of the command officers cited a continuing need for training such as legal updates. Such training could be provided over a NORIS network.

Cost/Benefit Analysis

The analysis, composed of one spreadsheet for each major objective, uses estimations for the prediction of cost and benefits. While all known costs have been included, other costs may become apparent when detailed planning begins. The cost analysis is based on 2001 expenditures.

Two factors that are only covered briefly by this report in a concept design are the cost of training and the cost of changing courtroom and jail procedures. Much time should be devoted to the study, discussion, resolution, and codification of new procedures. This report is only a primer; the next step will require the active involvement of the criminal justice agency heads.

2001 LCCC payments from Lucas County jurisdictions:

	Booking	Non-booking	Total
City of Sylvania	\$18,867	\$27,731	\$46,598
City of Maumee	\$22,824	\$48,863	\$71,687
City of Oregon	\$34,089	\$64,085	\$98,174
City of Toledo	\$1,557,066	\$1,624,184	\$3,181,250
Total Facility Cost			\$15,053,561

2001 CCNO payments from Lucas County jurisdictions:

City of Toledo	\$4,704,889
Lucas County ²⁷	\$3,464,444
Total Facility Cost	\$11,893,045

²⁷ A portion of the Lucas County cost is paid by the cities of Sylvania, Maumee, and Oregon.

A detailed spread sheet is available from CJCC upon request.